

01241.000018

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

MOTOHARU SEIKI

Application No.: 09/806,232

Filed: March 28, 2001

For: DNAS ENCODING NOVEL
POLYPEPTIDES

Examiner: Not Yet Assigned

Group Art Unit: 1632

April 21, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Donna S. Greene

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

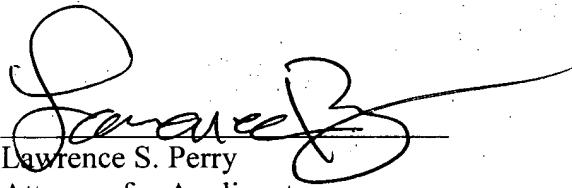
Sir:

In response to the NOTIFICATION OF DEFECTIVE RESPONSE mailed April 5, 2005 (copy attached), the undersigned hereby states that the context of the computer readable form and the Sequence Listings as filed March 28, 2001, July 17, 2001 and November 27, 2001 are respectively the same. Moreover, none adds new matter herein.

The Assistant Commissioner is authorized to charge all fees required in connection with this paper to Deposit Account No. 06-1205.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


Lawrence S. Perry
Attorney for Applicant
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UNITED STATES PATENT AND TRADEMARK OFFICE

APR 8 2005
 UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY/DOCKET NO.
09/806,232	Motoharu Seiki	1241.18
INTERNATIONAL APPLICATION NO.		
PCT/JP99/05349		
I.A. FILING DATE	PRIORITY DATE	
09/29/1999	09/29/1998	
CONFIRMATION NO. 7030		
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 OC000000015660041		

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 FILE NO. 01241.000243
 (P) ATTORNEY USP
 DUE DATE 5/5/05
 DOCKETED 4/18/04 jw

Date Mailed: 04/05/2005

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 03/28/2001
- Copy of the International Search Report filed on 03/28/2001
- Copy of IPE Report filed on 03/28/2001
- Preliminary Amendments filed on 03/28/2001
- Information Disclosure Statements filed on 03/28/2001
- Biochemical Sequence Diskette filed on 03/28/2001
- Oath or Declaration filed on 03/28/2001
- Request for Immediate Examination filed on 03/28/2001
- Copy of references cited in ISR filed on 03/28/2001
- U.S. Basic National Fees filed on 03/28/2001
- Power of Attorney filed on 03/28/2001

Applicant's response filed 03/28/2001 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 05/30/2001 have not been completed.

- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file

in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/806,232	PCT/JP99/05349	1241.18

FORM PCT/DO/EO/916 (371 Formalities Notice)